

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

ERNEST GADLEY, )  
 )  
 Plaintiff(s), )  
 )  
 v. ) Case No. 4:05CV2175 RWS  
 )  
 KLEEN RITE, )  
 )  
 Defendant(s). )

# **MEMORANDUM AND ORDER**

This matter is before me on Kleen Rite's motion to dismiss [#7]. This is an employment discrimination case. Gadley filed his Complaint pro se. However, he failed to attach his Right to Sue Letter to his Complaint. Kleen Rite has moved to dismiss on the basis that no Right to Sue Letter was attached to the Complaint.

Gadley responded by attaching a Right to Sue Letter to his response. Kleen Rite has not challenged the validity of the Right to Sue Letter. As a result, Kleen Rite's motion will be denied without prejudice.

Accordingly,

**IT IS HEREBY ORDERED** that Kleen Rite's motion to dismiss [#7] is **DENIED** without prejudice.

Dated this 7th day of February, 2006.

July 11, 1996  
RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE